UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

BRIAN CUMMINGS,)
Plaintiff,)
v.) Case No. 3:22-cv-00301
BRETTON KEEFER, on behalf of the) Chief Judge Waverly D. Crenshaw, Jr.
deceased CHESTA SHOEMAKER,) Magistrate Judge Alistair E. Newbern
AFSOON HAGH, and)
JEANNE BURTON, Trustee on behalf)
of CUMMINGS MANOOKIAN, PLC,)
Defendent)
Defendants.)

DECLARATION OF ROBERT CAPUS

- I, Robert Capus, state that the following facts are true based upon my personal knowledge:
- 1. I am a Deputy U.S. Marshal with the U.S. Marshals Service based out of the Middle District of Tennessee.
- 2. On October 11, 2022, I attempted to effect service of process upon Defendant Afsoon Hagh at 226 Pelham Drive in Brentwood, Tennessee.
- 3. At 226 Pelham Drive, a dark sedan pulled into the driveway. An adult male exited the vehicle, and I advised him that I was there to serve papers on Afsoon Hagh. The individual informed me that Ms. Hagh was his niece and that she had not lived there since June.
- 4. As I was speaking with the individual in the driveway, a second male arrived at the property in a silver SUV. The second individual refused to identify himself. Attorney Ms. Tipping requested U.S. Marshals Service to review a photograph for the above case. At the direction of my supervisor, Ms. Tipping provided the name Brian Manookian through telephonic communications and I viewed a photograph of Mr. Manookian on the website thenationaltriallawyers.org. After

viewing this photograph of Brian Manookian on the website thenationaltriallawyers.org, I confirmed that Mr. Manookian was the second individual who I interacted with at 226 Pelham Drive.

5. Mr. Manookian was irate when he arrived. As I recall, he swatted the summons from the trunk of the dark sedan causing it to fall on the ground. Mr. Manookian told me I was trespassing, and I had to leave. Based on Mr. Manookian's behavior, I was concerned that he would escalate our interaction to a physical confrontation, so I walked away to leave the premises. Mr. Manookian took out his cell phone and started video recording as I walked to my vehicle. As I recall, Mr. Manookian obstructed me from closing my car door and threw the summons into my vehicle.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on Normber 23, 2022.

Deputy U.S. Marshal Robert Capus